

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

DENNIS S. NELSON and DAWN G. )  
NELSON, )  
Plaintiffs, )  
v. ) No. 3:05-CV-117  
PHILLIP TALIB MILLER and )  
RALPH J. MILLER, )  
Defendants. )  
(Shirley)

**MEMORANDUM AND ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636(c), Rule 73(b) of the Federal Rules of Civil Procedure, and the consent of the parties, for all further proceedings, including entry of judgment [Doc. 9].

The parties have advised the Court that this case has been settled and that the parties have agreed to a dismissal with prejudice. Based upon the representations of the parties, this case is hereby **DISMISSED**.<sup>1</sup>

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge

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<sup>1</sup>The parties have submitted a proposed Order entitled “Stipulation of Dismissal with Prejudice,” which seeks to direct the taxing of “the costs of this cause” against the defendant and further provides that the parties are to bear their respective discretionary costs and attorney’s fees. This Court has already ruled, however, that no costs are to be awarded or taxed in this action. [Doc. 24]. Accordingly, the Court declines to enter the parties’ Stipulation.